

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

DISH NETWORK L.L.C. and
SLING TV L.L.C.,

Plaintiff,

v.

MARCELINO CHELINO PADILLA
and DANNY CONTRERAS,

Defendants.

Case No. 8:24-cv-01028-JVS-ADS

**FINAL JUDGMENT AND
PERMANENT INJUNCTION [20]**

Before the Court is the Agreed Motion for Entry of Final Judgment and Permanent Injunction filed jointly by Plaintiffs DISH Network L.L.C and Sling TV L.L.C. and Defendants Marcelino Chelino Padilla and Danny Contreras (collectively “the Parties”). The Court **GRANTS** the motion and **ORDERS** as follows:

1. Judgment is entered against Defendants, and for Plaintiffs, on Count I of the complaint which allege Defendants’ violations of the Digital Millennium Copyright Act (“DMCA”), 17 U.S.C. § 1201(a)(2) for trafficking in streaming services that are accessed using the vSeeBox and Tanggula set-top boxes (the

1 “Services”), that capture and retransmit Plaintiffs’ channels, without authorization,
 2 by circumventing Plaintiffs’ security measures.

3 2. Plaintiffs are awarded damages of \$1,250,000.00 against Marcelino
 4 Chelino Padilla (“Padilla”), which is calculated at \$2,500 under 17 U.S.C. §
 5 1203(c)(3)(A) for each of the 500 Services sold by Padilla. The Parties agreed that
 6 this Order does provide an award of damages against Defendant Danny Contreras.

7 3. Defendants, and any officer, agent, servant, employee, or other person
 8 acting in active concert or participation with them that receives actual notice of the
 9 Order, from:

10 A. manufacturing, offering to the public, providing, or otherwise
 11 trafficking in the Services, vSeeBox and Tanggula set-top boxes, or any other
 12 technology, product, service, device, component, or part thereof that:

13 i. is primarily designed or produced for circumventing any
 14 digital rights management (“DRM”) technology or other technological
 15 measure that Plaintiffs use to control access to or protect against copying
 16 of a copyrighted work;

17 ii. has at best only limited commercially significant purpose
 18 or use other than circumventing any DRM technology or other
 19 technological measure that Plaintiffs use to control access to or protect
 20 against copying of a copyrighted work; or

21 iii. is marketed for circumventing any DRM technology or
 22 other technological measure that Plaintiffs use to control access to or
 23 protect against copying of a copyrighted work; or

24 B. intentionally disclosing, endeavoring to disclose, using, or
 25 endeavoring to use Plaintiffs’ channels knowing or having reason to know that
 26 they were obtained through interception.

27 4. This permanent injunction takes effect immediately.
 28


1 5. Plaintiffs' causes of action under the DMCA, 17 U.S.C. § 1201(b)(1)
2 [Count II] and the Electronic Communications Privacy Act, 18 U.S.C. §§ 2511(1)(c),
3 (d), and 2520 [Count III] are hereby dismissed against Defendants with prejudice.

4 6. Each party is to bear its own attorney's fees and costs.

5 7. The Court retains jurisdiction over this action for the purpose of
6 enforcing this Final Judgment and Permanent Injunction.

7 **IT IS SO ORDERED.**

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10 Dated: July 05, 2024


HONORABLE JAMES V. SELNA
United States District Judge